

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Cesar de la Garza,

Civil No. 06-208 (RHK/JJG)

Plaintiff,

ORDER

v.

Joan Fabian, et al.,

Defendants.

After a de novo review of the Objected to portions of Magistrate Judge Jeanne J. Graham's June 28, 2006, Report and Recommendation, and upon all the files, records, and proceedings herein, **IT IS ORDERED:**

1. The Objections (Doc. No. 59) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 53) is **ADOPTED**; and
3. Plaintiff's Motions for Preliminary Injunction and Temporary Restraining Order (Doc. Nos. 10 and 11) are **DENIED AS MOOT**.

Dated: July 26, 2006

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge